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Deutsche Geschichte im Neunzehnten Jahrhundert. Von HEINRICH VON TREITSCHKE. *Drittes Buch: Oesterreichs Herrschaft und Preussens Erstarken* (1819-1830). Leipzig, S. Hirzel, 1885. — 8vo, 778 pp.

It is the history of Germany under the *Bund* (1815-1866) that Treitschke is writing. Three volumes have now appeared; and, at the author's present rate of progress, it seems certain that at least as many more will be needed to complete the work.

The first volume is mainly introductory, ending with the Congress of Vienna and the formation of the *Bund*. In it the author reviews the history of Germany from the Thirty Years' War to the death of Frederic the Great, and describes the humiliation of Germany under Napoleon, the uprising of 1813, and the final overthrow of the Napoleonic empire at Waterloo. This introductory volume is written in the manner which Ranke has used so often and so effectively: the more remote history is given in broad outlines; the less remote with more detail; until, as the author approaches the period he has undertaken to describe, the narrative becomes so full and complete that the reader passes from the preface into the body of the history without noting the transition. The second volume, according to the original plan, should have covered the period from 1815 to 1830; but in fact it brings the history only to the year 1819; disproportionate space being allotted to the revolutionary societies formed among the German students and to the crime of Karl Sand. No such criticism can be passed upon the present volume. The readjustment of the Prussian finances¹ and the formation of the first customs unions² are events of cardinal importance; and the description of the political life (if it deserves the name) of the small German states,³ and the political methods by which Metternich maintained the Austrian hegemony,⁴ is absolutely necessary to the comprehension of the subsequent events. The account of each movement is clear and interesting, and each episode seems to find its proper place and space in the picture.

No reader of Treitschke's book can forget for a moment that the author's point of view is Prussian; but no one who knows Treitschke's career would expect him to treat German history in any other way. Although a Saxon by birth, and, in his earlier years, a Baden professor, Treitschke preached the unification of Germany under Prussia at a time when the triumph of the Prussian cause seemed far from assured, and when the support of that cause was far from popular. He is no vulgar

¹ Vol. iii., pp. 29-47, 68-98, etc.

² Vol. iii., pp. 453-485, 603-681.

³ Vol. iii., pp. 47-67, 283-354, 486-586.

⁴ See especially the amusing analysis of Metternich's State-papers, vol. iii., p. 153 ff.

apologist of success ; and no Austrian, even, should take it amiss that the cause which has pleased the gods pleases Treitschke too. At the same time it is not surprising that the Austrian archives are closed against him ; nor does Treitschke himself appear to be surprised.¹

Treitschke himself not only admits that he writes from the Prussian point of view, but maintains that the modern history of Germany must be so written.

The present volume [he says] shows even more clearly than that which preceded it that the political history of the German confederation can be regarded only from the Prussian standpoint ; for he alone who himself stands firm can pass judgment upon the change of things. The power of Prussia in our new empire was prepared a long way ahead by honest, silent labor ; and for that reason it will last.²

The modern student of history, who looks more at institutions than at men, will agree with this conclusion. From the ordinary point of view Prussian history seems wanting in continuity. Prussia seems to have won its present place by a series of bounds ; and the impulse which has advanced it seems in every case a personal one. A sagacious and war-like prince brings the state out of the confusion of the Thirty Years' War safe and even strengthened. A successor of greater ambition and less judgment wastes its resources in fighting other men's battles, and bears away no prize but an empty title ; but the next Hohenzollern, the boorish, hard-headed, practical Frederic William I., happens to have an almost unexampled talent for internal organization, and more than retrieves the waste of his predecessor. Under his marvellous son, politic as the Great Elector and far greater in genius for war, ambitious as Frederic I., but wiser in his choice of ends, the accumulated resources of the land are poured forth with far-sighted extravagance ; and Prussia becomes one of the great powers of Europe. Three great rulers in four generations bring Prussia from the third into the first class of states.

But the next three generations produced no ruler of the first order. No historian has a good word for the second Frederic William. The third was pure, honest, and patriotic ; but even Treitschke cannot make him appear other than timid and narrow-minded. Frederic William IV. was brilliant but unpractical ; he repeated Frederic the Great in wit and love of art, but he had not a particle of state-craft. If Prussia was a fortuitous creation of individual genius, why did it not disappear from the map of Europe during this period of political mediocrities ? How did it win through the tremendous shocks of the Napoleonic wars ? How did it emerge unweakened from the struggle between crown and

¹ Preface to vol. iii.

² *Ibid.*

people? How came it that when at last an energetic ruler again ascended the throne, Prussia was ready to respond to his call and strong enough to realize all the dreams of Frederic II.?

These are the questions which Treitschke's book helps us to answer. His work, when completed, will cover the period of Prussia's three weakest kings. At first glance, the answer seems again to point to men rather than institutions as the cause of national greatness. The answer seems to be: Small masters, but great servants; Frederic William II. and III., but Stein and Humboldt and Hardenberg and Motz, Scharnhorst and Gneisenau and Blücher.

But what brought these men into the service of the Prussian state? Few of the great servants of the Prussian monarchy were born in its allegiance. What force was it that drew men from Denmark and Mecklenburg and Hesse and a dozen other little states to "travailler pour le roi de Prusse"? Again, what made their services so extraordinarily effective? There were men of equal genius in the service of the smaller states, contemporaries of the great Prussian statesmen and soldiers, who accomplished so little that their names are known only to the student.

It was not only that Prussia, as the second of the German states, offered men of ambition a broader field and a greater career; it was also, as Treitschke points out, that Prussia was pre-eminently *the* German state. Its rulers had no outside interests, foreign to those of Germany, like Austria and Saxony and Hanover; and its policy, however menacing to the petty German crowns, never ran counter to the interests of the German people. It therefore drew to its service not simply the most ambitious, but the broadest-minded and most patriotic Germans. It was not personal ambition that brought the Freiherr von Stein to Berlin.

Again, what made these men's works so effective was the strength and soundness of the Prussian institutions. Scharnhorst's great conception of the popular army could not have been realized except in a society disciplined from top to bottom to the service of the state. Stein's local self-government would have crippled a state less firmly welded together. Imagine his system introduced into the feudal complex of the Hapsburg territories! In Prussia, where the earlier kings had established a strong central control, Stein's reforms strengthened the body politic by making it more supple. And, to take but one more example, Motz, the creator of the Zollverein, to whom Treitschke is the first to render full justice,—Motz could never have realized his Bismarckian¹ policy had the administrative system created by Frederic William I. been a jot less sound and strong.

¹ See especially vol. iii., pp. 661-681.

A still more striking illustration of the relative force of institutions and of men is the complete failure of the feudal party, led by the romantic crown prince (afterwards Frederic William IV.), to undo the work of the seventeenth and eighteenth centuries and to re-establish the provincial estates¹ which the Great Elector and his successors had crushed. The death of Hardenberg left the reactionary party apparently all-powerful, but their efforts came to nothing. The Prussian king who declared that he would "establish his state like a rock of bronze" had made good his boast.

MUNROE SMITH.

Lehrbuch des deutschen Staatsrechts. Von Dr. HERMANN SCHULTZE, grossherzoglich badischem geh. Rathe und königlich preussischem geh. Justizrathe, ordentlichem Professor des Staatsrechts an der Universität Heidelberg. *Buch I. Das deutsche Landesstaatsrecht. Buch II. Das deutsche Reichsstaatsrecht.* Leipzig, Breitkopf & Härtel, 1881-86. — 1007 pp.

The Law and Custom of the Constitution. By SIR WILLIAM R. ANSON, Bart., D.C.L., of the Inner Temple, Barrister at Law, and Warden of All-Souls College, Oxford. *Vol. I. Law and Custom of Parliament.* Clarendon Press, Oxford, 1886. — 336 pp.

Le droit public de la Belgique. Par A. GIRON, conseiller à la Cour d'Appel et professeur à l'Université de Bruxelles. Bruxelles, A. Manceaux, 1884. — 536 pp.

Études de droit constitutionnel. Par E. BOUTMY, membre de l'Institut et directeur de l'École libre des sciences politiques. Paris, E. Plon, Nourrit et Cie., 1885. — 272 pp.

The past two years have been rich, to a degree somewhat extraordinary, in treatises upon the different branches of public law. The constitutional and administrative law of the states of Europe, which formerly presented to the student a tangled mass of custom, edict and statute, has now been largely systematized and has become easily accessible. It is my purpose, in this review, to draw attention to several of the most recent and, in my view, most valuable contributions.

First, in the order of merit and importance, stands the work of Dr. Hermann Schultze, Professor of Public Law in the University at Heidelberg, upon the Public Law of Germany, both of the individual states and of the empire. Of the two volumes, the first — *das deutsche Landes-*

¹ Vol. iii., pp. 226-253, 361-390.